

1 subscribe to that position and said he hoped the motion
2 would carry.

3 Mr. Miller?

4 MR. MILLER: I would suggest that the sense of
5 that might be carried out by saying on the Bench from which
6 he is retired. In other words, I see no reason why a
7 judge just because he reached the age of 70, if there was
8 a jam-up in his area couldn't be and wouldn't be in the
9 interest of the public to have the interim, for the interim
10 to have him go on the same way he had been doing for ten
11 or fifteen years. I don't think the distinction should
12 be between appellate and trial judges as much as it might
13 be to limit them to the sphere in which they were familiar.

14 THE CHAIRMAN: Mr. Sykes, I take it from your
15 remarks you would not accept the amendment?

16 MR. SYKES: You are correct.

17 THE CHAIRMAN: Mr. Sayre. I am sorry, I should
18 have recognized the Chairman of the Committee first.

19 MR. MARTINEAU: I will speak at the end.

20 THE CHAIRMAN: Mr. Sayre?

21 MR. SAYRE: This is a question on which Mr.